

REMARKS

The Office Action of October 6, 2009, has been carefully studied. Claims 1-11, 13-20, 23-26 and 28 currently appear in this application. These claims define novel and unobvious subject matter under Sections 102 and 103 of 35 U.S.C., and therefore should be allowed. Applicant respectfully requests favorable reconsideration and formal allowance of the claims.

Rejections under 35 U.S.C. 112

Claims 1-7, 9-11, 13-20 and 23-28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

This rejection is respectfully traversed.

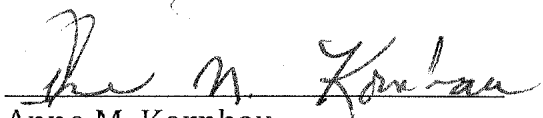
Claim 1 has been amended to include the limitations of claim 29, as suggested by the Examiner. In addition, claim 1 has been amended to include the limitations to specific conditions recited in claims 13 and 14. Claims 24-26, of course, recite specific diseases treated according to the herein claimed method. Support for the recitation of ischemic perfusion injury can be found in the specification as filed at page 23, lines 1-2.

In view of the above, it is respectfully submitted that the claims are now in condition for allowance, and favorable action thereon is earnestly solicited.

Appln. No. 10/663,693
Amdt. dated January 21, 2010
Reply to Office Action of October 6, 2009

Respectfully submitted,

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